

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF WYOMING

ERIK PRINCE,

Plaintiff,

vs.

THE INTERCEPT, et al.

Defendants.

Civil No. 20-cv-84-ABJ-KHR

**SECOND DECLARATION OF THEODORE J. HARTL**

I, Theodore J. Hartl, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a partner in the law firm of Ballard Spahr, LLP, counsel for the Defendants in the above-captioned matter, and admitted to practice in this Court. The facts stated below are true and within my own personal knowledge, and if called to testify, I would competently testify thereto. I submit this declaration in support of the Defendants' motion to dismiss the Complaint.

2. Attached hereto as Exhibit 18 is a true and correct copy of the article, *Blackwater founder Erik Prince cut a lucrative deal with Chinese insiders. But it is against U.S. interests?*, published by The Virginian on or about May 13, 2018.

3. Attached hereto as Exhibit 19 is a true and correct copy of the article *Blackwater's Erik Prince, China and a New Controversy Over Xinjiang*, published by Bloomberg on or around February 10, 2019, <https://www.scmp.com/news/china/politics/article/2185588/blackwaters-erik-prince-china-and-new-controversy-over-xinjiang>.

4. Attached hereto as Exhibit 20 is a true and correct copy of the article *Frontier Services Group Founder Erik Prince Denies Knowledge of Xinjiang Training Base Deal*,

published by South China Morning Post on or about February 1, 2019,

<https://www.scmp.com/news/china/politics/article/2184734/frontier-services-group-founder-erik-prince-denies-knowledge>.

5. Attached hereto as Exhibit 21 is a true and correct copy of the article, *A Former Mercenary Proposes a Pentagon Makeover – Erik Prince, the controversial ex-CEO of Blackwater, has a plan for military reform and it's gaining fans*, published by Newsweek on or around December 12, 2014.

6. Attached hereto as Exhibit 22 is a true and correct copy of the article *Blackwater founder Erik Prince's new company has reportedly set up shop in Iraq*, published by Business Insider on or about April 29, 2019.

7. Attached hereto as Exhibit 23 are true and correct copies of the article *Blackwater Founder Erik Prince Considering Wyoming Senate Bid*, published by The Wall Street Journal on or about October 8, 2017, <https://www.wsj.com/articles/blackwater-founder-erik-prince-considering-wyoming-senate-bid-1507485496>.

8. Attached hereto as Exhibit 24 is a true and correct copy of the article *As Afghanistan Frays, Blackwater Founder Erik Prince is Everywhere*, published by The New York Times on or about October 4, 2018,

<https://www.nytimes.com/2018/10/04/world/asia/afghanistan-erik-prince-blackwater.html>.

9. Attached hereto as Exhibit 25 is a true and correct copy of the article *Erik Prince Held Secret Talks in Caracas With Maduro's No. 2*, published by Bloomberg on or about December 13, 2019.

10. Attached hereto as Exhibit 26 is a true and correct copy of the publication *Private Military Contractors in Africa: The Case of Erik Prince*, published by The International Journal of African Studies in 2019.

11. Attached hereto as Exhibit 27 is a true and correct copy of the article *Erik Prince's Plan to Privatize the War in Afghanistan*, published by The Atlantic on or about August 18, 2017, <https://www.theatlantic.com/politics/archive/2017/08/afghanistan-camp-david/537324/>.

12. Attached hereto as Exhibit 28 is a true and correct copy of the article *A U.S. warrior goes to China: Did Erik Prince cross a line?*, published by The Washington Post on or about May 04, 2018, <https://www.washingtonpost.com/news/world/wp/2018/05/04/feature/a-warrior-goes-to-china-did-erik-prince-cross-a-line/>.

13. Attached hereto as Exhibit 29 is a true and correct copy of the article *Erick Prince's Company Plans Business in China Province Under Human Rights Scrutiny According to Financial Disclosure*, published by ABC News on or about October 9, 2019, <https://abcnews.go.com/International/erik-princes-company-plans-business-china-province-human/story?id=66139535>.

14. Attached hereto as Exhibit 30 is a true and correct copy of the article *The Vindication of Erik Prince*, published by the national Review on or about December 5, 2013.

15. Attached hereto as Exhibit 31 is a true and correct copy of the article *Demolishing Erik Prince: On TV Interview Shows How to Deal with Trump's Allies*, published by Salon on or about March 12, 2019, <https://www.salon.com/2019/03/12/demolishing-erik-prince-one-tv-interview-shows-how-to-deal-with-trumps-allies/>.

16. Attached hereto as Exhibit 32 is a true and correct copy of the article *Erik Prince's FSG quits Mozambique Oil and Gas Logistics Venture*, published by EnergyVoice.com

on or about December 18, 2019, <https://www.energyvoice.com/oilandgas/africa/214279/erik-princes-fsg-quits-mozambique-oil-and-gas-logistics-venture/>.

17. Attached hereto as Exhibit 33 is a true and correct copy of the article *Blackwater Mercenary Prince Has a New \$1 Trillion Chinese Boss*, published by Bloomberg Quint on or about February 10, 2019, <https://www.bloombergquint.com/politics/blackwater-mercenary-prince-has-a-new-1-trillion-chinese-boss>.

18. Attached hereto as Exhibit 34 is a true and correct copy of the article *Mapping Erik Prince's Private Mercenary Empire*, published by Special Ops Magazine, date of publication unknown, <https://special-ops.org/mapping-erik-princes-private-mercenary-empire/>.

19. Attached hereto as Exhibit 35 is a true and correct copy of the article *Times Runs Pro-Mercenary Op-Ed by Mercenary Whose Employees Committed Infamous Iraq Massacre*, published by Slate on or about August 30, 2017, <https://slate.com/news-and-politics/2017/08/erik-prince-writes-pro-mercenary-op-ed-in-new-york-times.html>.

20. Attached hereto as Exhibit 36 is a true and correct copy of the article *What Blackwater Founder Erik Prince Learned about the Business of War*, published by Bloomberg Law on or about November 21, 2013.

21. Attached hereto as Exhibit 37 is a true and correct copy of the article *The Vindication of Erik Prince*, published by the National Review on or about December 5, 2013.

22. Attached hereto as Exhibit 38 is a true and correct copy of the article *The Weekend interview with Erik Prince: Out of Blackwater and into China*, published by The Wall Street Journal on or about January 25, 2014.

23. Attached hereto as Exhibit 39 is a true and correct copy of the article *Blackwater Founder's New Company Strikes a Deal in China. He Says He Had No Idea*, published by The

New York Times on or about February 1, 2019,

<https://www.nytimes.com/2019/02/01/business/erik-prince-xinjiang-china-fsg-blackwater.html>.

24. Attached hereto as Exhibit 40 is a true and correct copy of the article *Erik Prince Has Plan for Venezuela – If He Can Avoid Perjury Rap*, published by New York Magazine on or about April 30, 2019, <https://nymag.com/intelligencer/2019/04/erik-prince-has-venezuela-plan-if-he-can-avoid-perjury-rap.html>.

25. Attached hereto as Exhibit 41 is a true and correct copy of the full transcript from Erik Prince's *Head to Head* interview conducted on or about March 14, 2019.

26. Attached hereto as Exhibit 42 is a true and correct copy of the article *My Evening with Erik Prince and Steve Bannon*, published by Intelligencer on or about November 23, 2019, <https://nymag.com/intelligencer/2019/11/my-evening-with-erik-prince-and-steve-bannon.html>.

27. Attached hereto as Exhibit 43 is a true and correct copy of the article *Erik Prince: Trump is Right – We Can Work With Putin to Defeat ‘Common Enemy’ of Islamic Fascism*, published by Breitbart on or about September 8, 2016, <https://www.breitbart.com/radio/2016/09/08/erik-prince-trump-is-right-that-we-can-work-with-putin-to-defeat-common-enemy-of-islamic-fascism/>.

28. Attached hereto as Exhibit 44 is a true and correct copy of the article *Erik Prince Courts New Controversy*, published by The Star on or about February 11, 2019, <https://www.thestar.com.my/business/business-news/2019/02/11/erik-prince-courts-new-controversy>.

29. Attached hereto as Exhibit 45 is a true and correct copy of the November 30, 2017 testimony of Erik Prince before the U.S. House of Representatives Intelligence Committee located at the URL <https://intelligence.house.gov/uploadedfiles/ep42.pdf> (last visited 9/23/2020)

30. Attached hereto as Exhibit 46 is a true and correct copy of Erik Prince's Statement to the House Committee on Oversight and Government Reform on October 2, 2007.

31. Attached hereto as Exhibit 47 is a true and correct copy of the article *Blackwater Founder Erik Prince Says Mueller Asked About Meeting Russian Putin Pal in Seychelles*, published by CNBC on or about January 7, 2019, <https://www.cnn.com/2019/01/07/erik-prince-on-mueller-interview-would-rather-go-to-a-proctology-exam.html>

32. Attached hereto as Exhibit 48 is a true and correct copy of the article *Erik Prince Suggests He Didn't Lie, Congress Got 'Transcript Wrong*, published by NY Magazine on or about March 8, 2019, <https://nymag.com/intelligencer/2019/03/erik-prince-is-really-bad-at-lying.html>.

33. Attached hereto as Exhibit 49 is a true and correct copy of the article *Erik Prince Is a Name You Need to Know*, published by Esquire on or about April 4, 2017, <https://www.esquire.com/news-politics/politics/news/a54292/erik-prince-russia-seychelles/>

34. Attached hereto as Exhibit 50 is a true and correct copy of the article *This Erik Prince Transcript is Unbelievable*, published by Esquire on or about December 8, 2017, <https://www.esquire.com/news-politics/politics/a14392719/this-erik-prince-transcript-is-unbelievable/>.

35. Attached hereto as Exhibit 51 is a true and correct copy of a webpage from the FBI website containing an article regarding the public corruption scandal known as ABSCAM, located at the URL <https://www.fbi.gov/history/famous-cases/abscam> (last visited 9/23/2020).

36. Attached hereto as Exhibit 52 is a true and correct copy of the July 2019 newsletter located at the website of the U.S. Navy Judge Advocate General's Corp which "reports the results of every Special and General Court-Martial convened within the United

States Navy.” This issue of the newsletter provided sets forth the results of, *inter alia*, the General Court-Martial of SOC Edward R. Gallagher, USN, and is located at the URL <https://www.jag.navy.mil/news/rot/JUL2019.pdf> (last visited 9/23/2020).

37. Attached hereto as Exhibit 53 is a true and correct copy of an excerpt from the public docket in *United States v. Blagojevich*, 1:08-cr-888, after Illinois Governor Blagovich was indicted and convicted on public corruption charges.

38. Attached hereto as Exhibit 54 is a true and correct copy of the public docket in *United States v. Petraeus* 3:15-cr-00047, after General David Petraeus was indicted and pled guilty on charges relating to the mishandling of classified information.

39. Attached hereto as Exhibit 55 is a true and correct copy of an excerpt from the public docket in *United States v. Jefferson*, 1:07-cr-209, after Congressman William Jefferson was indicted and found guilty on charges relating to the solicitation of bribes.

This Declaration was executed on the 23<sup>rd</sup> day of September 2020, in Denver, Colorado.

I declare under penalty of perjury under the laws of the United States of America and the State of Colorado that the foregoing is true and correct.

/s/ Theodore J. Hartl  
THEODORE J. HARTL

Executed pursuant to 28 U.S.C. § 1746